

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARIANNA ZHAO, on behalf of herself, FLSA Collective  
Plaintiffs, and the Class,

Index No.: 22-cv-07314

Plaintiff,

-against-

SURGE PRIVATE EQUITY LLC, d/b/a SURGE PRIVATE  
EQUITY HIPPODROME SERVICES CORP.  
d/b/a HIPPODROME SERVICES HIPPODROME LLC,  
d/b/a HIPPODROME SERVICES LLC and DOUGLAS  
KOPELMAN,

Defendants.

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**AFFIRMATION OF ANDREW ROSS SACK, ESQ.**  
**IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL**

I, Andrew Ross Sack, an attorney admitted to practice before this Court, and the  
courts of the State of New York, hereby affirm under penalty of perjury as follows:

1. I am an associate attorney at the law firm Milber Makris Plousadis & Seiden LLP,  
attorneys for Defendants, SURGE PRIVATE EQUITY LLC, d/b/a SURGE PRIVATE EQUITY  
HIPPODROME SERVICES CORP., d/b/a HIPPODROME LLC, HIPPODROME LLC, d/b/a  
HIPPODROME SERVICES LLC and DOUGLAS KOPELMAN, (hereinafter known as  
“Defendants”), in the above-referenced matter. I submit this affirmation in support of the instant  
Motion to Withdraw as Counsel of Record.

2. I am one of the attorneys of record for Defendants in this matter.

3. I am leaving Milber Makris Plousadis & Seiden LLP for other employment. My  
last day with Milber Makris Plousadis & Seiden LLP was September 15, 2023.

4. Milber Makris Plousadis & Seiden LLP will continue its representation of Defendants in this matter.

5. Accordingly, I respectfully request that (i) the Court grant the motion to withdraw my appearance for Defendants in this action, and (ii) the Clerk be directed to terminate my appearance.

Respectfully submitted,

Dated: Woodbury, New York  
September 19, 2023

MILBER MAKRIS PLOUSADIS & SEIDEN LLP  
/s/ Andrew Ross Sack  
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cc: All counsel of record (via ECF)